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7 Attorney for Timothy J. Walker

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 TIMOTHY J. WALKER,  
14 Defendant.  
15

Case No. 2:16-CR-042-JAD-PAL

**STIPULATION TO CONTINUE  
SENTENCING HEARING**

**(Fourth Request)**

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,  
17 United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the  
18 United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha Brooks-  
19 Whittington, Assistant Federal Public Defender, counsel for Timothy J. Walker, that the  
20 Sentencing Hearing currently scheduled on February 6, 2017 at 10:00 a.m., be vacated and  
21 continued to March 7, 2017 at 10:00 a.m.

22 This Stipulation is entered into for the following reasons:

- 23 1. The defendant is out of custody and does not oppose the continuance.  
24 2. Counsel was recently assigned to this case and needs additional time to review  
25 the case, to prepare a sentencing memorandum, and to prepare for the sentencing hearing.  
26 3. Denial of this request for continuance could result in a miscarriage of justice.

1           4.       The parties agree to the continuance.

2           This is the fourth request for a continuance of the sentencing hearing.

3           DATED this 26<sup>th</sup> day of January, 2017.

4  
5       RENE L. VALLADARES  
6       Federal Public Defender

DANIEL G. BOGDEN  
United States Attorney

7       By /s/ Nisha Brooks-Whittington  
8       NISHA BROOKS-WHITTINGTON  
9       Assistant Federal Public Defender

By /s/ Elham Roohani  
ELHAM ROOHANI  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 TIMOTHY J. WALKER,

7 Defendant.

Case No. 2:16-CR-042-JAD-PAL

**ORDER**

9  
10 The ends of justice served by granting said continuance outweigh the best interest of the  
11 public and the defendant in a speedy sentencing, since the failure to grant said continuance  
12 would be likely to result in a miscarriage of justice, would deny the parties herein sufficient  
13 time and the opportunity within which to be able to effectively and thoroughly prepare for  
14 sentencing, taking into account the exercise of due diligence.

15 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,  
16 United States Code, § 3161 (h)(7)(A), when the considering the facts under Title 18, United  
17 States Code, §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

18 IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for  
19 Monday, February 6, 2017 at 10:00 a.m., be vacated and continued to March 7, 2017 at the hour  
20 of 10:00 a.m.

21 DATED this 27th day of January, 2017.

22  
23   
24 UNITED STATES DISTRICT JUDGE  
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